

**CITY OF CASTROVILLE CITY COUNCIL
REGULAR CALLED COUNCIL MEETING**

**1209 Fiorella
City Council Chambers**

January 14, 2020

Tuesday

6:00 P.M.

MINUTES

I. CALL TO ORDER

The meeting was called to order at 6:00 p.m. by Mayor Phyllis Santleben.

II. ROLL CALL

Present:

Mayor Phyllis Santleben

Mayor Pro Tem Herb Dyer

Councilmember Sheena Martinez

Councilmember Paul Carey

Councilmember Jesse Byars

Councilmember Todd Tschirhart

Leroy Vidales, Interim City Administrator/Finance Director

Debra Howe, City Secretary

Brian Jackson, Police Chief

John Gomez, Public Works Director

Devin Fredrickson, Parks and Recreation Director

David Kirkpatrick, Airport Manager

Others in attendance:

Attorney Scott Tschirhart, Denton, Navarro, Rocha, Benal & Zech

III. PLEDGE OF ALLEGIANCE

IV. INVOCATION

Councilmember Paul Carey gave the invocation.

V. CITIZENS COMMENTS

The City Council will hear comments from any citizen or visitor. Speakers must address their comments to the presiding officer rather than individual council members or staff; stand at the podium, speak clearly into the microphone and state your name and residential address before speaking. Speakers will be allowed a maximum of 3 minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks will be given one warning before losing the privilege to speak or may be removed from the room. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations/distractions will not be permitted. No placards, banners or signs will be permitted in the Chambers or in any

Arnie Dollase, 109 River Bluff, CAEDC member, reminded the city council of the upcoming 9th Annual Tour de Castroville Bike, Run, Walk event on Saturday, April 4th.

VI. CONSENT AGENDA

- A. Minutes for December 10, 2019 Regular Called Council Meeting.
- B. Minutes for December 17, 2019 Special Called Council Meeting.
- C. Template for Hangar and Terminal Office lease agreements.

A motion was made by Mayor Pro Tem Dyer and duly seconded by Councilmember Byars to pull off item C. *Template for Hangar and Terminal Office lease agreements* and table for discussion at the next meeting. A vote was taken (5:0 all ayes) the motion carried by all present.

A motion was made by Councilmember Carey and duly seconded by Councilmember Tschirhart to approve the remaining consent agenda. A vote was taken (5:0 all ayes) the motion carried by all present.

VII. Presentation from Genevieve Flores, Hondo Economic Development Director on South Texas Regional Training Center

Genevieve Flores, Hondo Economic Development Director briefed the city council on what the South Texas Regional Training Center had to offer Castroville and the surrounding communities. Ms. Flores said they offered different training classes through the Alamo Workforce Solutions and hoped the city would help promote to others. Council thanked her for the information.

VIII. Consideration and appropriate action on applications submitted for open positions on city boards and commissions. (Debra Howe, City Secretary)

City Secretary Debra Howe briefed the city council on the two applications submitted for the Historic Landmark Commission. Ms. Howe said Dan and Cindy Maloney were presently on the board. Ms. Maloney was requesting to be moved from her current alternate position to an open full board position and Mr. Maloney would like to be reappointed to the alternate position.

A motion was made by Councilmember Carey and duly seconded by Councilmember Martinez to appoint Cindy Maloney to full board position #1 and Dan Maloney to Alternate position #1 for two-year terms ending in 2021. A vote was taken (5:0 all ayes) the motion carried by all present.

IX. Consider and take appropriate action on setting a date and time for a Special Called Meeting

Mayor Santleben said council had requested a date to hold a Special Called Meeting/work session to review the Council Policies and Procedures for any changes. Staff provided several dates in January and February for council to consider.

A motion was made by Mayor Pro Tem Dyer and duly seconded by Councilmember Carey to set the date of Tuesday, February 4th at 4:30 p.m. for a Special Called Meeting. A vote was taken (5:0 all ayes) the motion carried by all present.

X. Consider and take appropriate action on approving a contract with Fuquay Inc., for Closed Captioned Televising (CCTV) of sanitary sewer lines in the amount, not to exceed \$75,000. (John Gomez, Public Works Director)

Mayor Santleben said this was a contract to look at the sewer lines and the contractor was through Buyboard. Public Works Director John Gomez confirmed and said he wanted to get a program started to help with future repairs, update maps, and repair and or replace the current lines. Mr. Gomez said from the report he would do rankings and wanted to include in budget each year to continue.

Mayor Pro Tem Dyer asked if the contract was written to not exceed the amount of \$75,000. Mr. Gomez said the city attorney had provided the contract and it did have that noted. Councilmember Carey was in favor and said this would provide a video in real time to see any issues. Councilmember Martinez made sure they would be notifying the citizens when they started the process. Mayor Pro Tem Dyer asked if the televising of the lines would cause any problems at the wastewater plant. Mr. Gomez said they would be coordinating with the contractor and would be ready if there were any problems.

A motion was made by Mayor Pro Tem Dyer and duly seconded by Councilmember Carey to approve a contract with Fuquay Inc., for Closed Captioned Televising (CCTV) of sanitary sewer lines in the amount, not to exceed \$75,000. A vote was taken (5:0 all ayes) the motion carried by all present.

XI. Consider and take appropriate action on directing staff to conduct a traffic study for a stop sign at the intersection of Petersburg and Mexico Streets. (Paul Carey, Councilmember)

Mayor Santleben stated she had other requests for traffic studies throughout the city and had been unable to meet the deadline for this meeting but would bring back later. Councilmember Carey said he had placed this on the agenda due to the heavy traffic during school hours and the backup it caused. He felt this was a safety issue and wanted to have a study completed for an additional stop sign at the intersection.

A motion was made by Mayor Pro Tem Dyer and duly seconded by Councilmember Tschirhart to request a traffic study to be conducted by the Police Department for a stop sign at the intersection of Petersburg and Mexico Streets. A vote was taken (5:0 all ayes) the motion carried by all present.

XII. City Administrator report on status of city administration files. (Leroy Vidales, Interim City Administrator)

Mayor Santleben said this report was on files removed from the City Administrator's office. Interim City Administrator Leroy Vidales updated the city council on the files he had received from the Mayor. Mr. Vidales said he had received a large amount of files back from the Mayor and he considered all returned.

Mayor Santleben recessed the meeting to go into Executive Session at 6:30 p.m.

XIII. EXECUTIVE SESSION:

Pursuant to Texas Local Government Code Section 551.071 (entitled "Consultation with Attorney") City Council shall convene in Executive Session to consult with the City Attorney, regarding pending or contemplated litigation; or a settlement offer; or a matter in which the City Attorney, under the state bar's rules of conduct, is required to disclose confidentially to City Council, as follows:

- a. Potential compliance issues related to the Texas Open Records Act, and other issues regarding the handling of governmental records.***

Opened: 6:32 p.m.

Closed: 7:41 p.m.

XIV. Reconvene in Open Session

Mayor Santleben reconvened in open session at 7:43 p.m.

XV. Consider possible action or give direction on the captioned items discussed in Executive Session

No action was taken.

XVI. Appropriate action on investigation (by Texas Rangers) into allegations of non-compliance with the Texas Open Records Acts. (Phyllis Santleben, Mayor)

Mayor Santleben withdrew her item.

XVII. Discussion and appropriate action on public comments of wrongdoings by the city council made by Mayor Santleben shown in the December 12, 2019 addition of the Castroville/Lacoste Newsbulletin. (Paul Carey, Councilmember)

Councilmember Carey said at the December 12th meeting the Mayor had made comments that the city council violated the open meetings act. Mr. Carey took these comments of accusations seriously, as it could affect his lively hood and cost him clients. Mr. Carey asked Mayor Santleben if she had any proof the city council had violated any laws and wanted a public apology. Mayor Santleben said she did not have any proof and apologized for her comments. Mayor Santleben said she had been upset and emotional when they scheduled the special called meeting so quickly. Councilmember Carey accepted her apology and wanted a retraction. Mayor Santleben retracted her statement of possible wrong doings by council. Mayor Pro Tem Dyer also accepted her apology and state he wanted to move forward. Mayor Santleben hoped they could all move forward and work together.

No action was taken.

XVIII. Discussion and appropriate action on the alleged removal (alienation) of city property (boxes, files, records) from city hall without required official process, inventory or documentation. (Paul Carey, Councilmember)

Councilmember Carey withdrew his item.

XIX. Reports from Council Board Liaisons on monthly City Boards and Commissions Meetings

Mayor Pro Tem Dyer said he had attended the Library Board meeting and would be bringing back an agenda item for council to consider a budget amendment.

Councilmember Byars attended the Airport Advisory Board meeting stating the board discussed fuel sales being down due to the weather and construction of future hangars. Mr. Byars said the construction of hangars would be brought to council at a future meeting.

Councilmember Martinez attended the Planning and Zoning Commission meeting and reported the Commission would be recommending to repeal the current tree ordinance and incorporate any requirements into the subdivision ordinance. Ms. Martinez said the draft modular home ordinance would be brought back as a new ordinance for council to review.

The board had several changes they were recommending. Ms. Martinez said the draft geometry street standards ordinance would also be coming to council for review.

XX. Discussion on future agenda items

Mayor Pro Tem Dyer and Councilmember Martinez requested general updates on current utility projects including Electrical upgrades, sewer televising, water looping, and eastside lift station.

XXI. ADJOURN

Mayor Santleben adjourned the meeting at 7:55 p.m.

Phyllis Santleben
Mayor

ATTEST:

Debra Howe
City Secretary

*Signatures on file